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UNITED STATES DEPARTMENT OF AGRICULTURE
RESETTLEMENT ADMINISTRATION
Land Utilization Division
Land Use Planning Section

BULLETIN OF FEDERAL AND STATE LEGISLATION AFFECTING LAND USE

No. 6.

Week ending February 11, 1937.

(Primarily for the information of Land Use Planning personnel
of the Resettlement Administration and collaborating offices
and agencies.)

I. FEDERAL LEGISLATION

CENSUS

H. R. 4104. Mr. Buchanan.

To authorize the Secretary of Agriculture in cooperation with the Census Bureau to make surveys of typical agricultural areas each year in each state so elected, to improve the various types of soil and farming prevailing in each state. Such surveys shall not cover more than 15% of the total area in farms. The Secretary shall cooperate with the State Agricultural Colleges and the selection of areas and the results shall be made available to such colleges and experimental stations. The purpose of these surveys is to compile more comprehensive and detailed information on all facts having to do with the economical condition of agriculture.

To Committee on Agriculture February 1.

FLOOD CONTROL

H. R. 3889. Mr. Polk.

To authorize the R. F. C. to make loans to non-profit corporations for rehabilitation in the flood areas.

To Committee on Banking and Currency January 28.

H. R. 4210. Mr. Dunn.

To empower the President to spend $2\frac{1}{2}$ billion dollars for the purpose of preventing floods.

To Committee on Appropriations February 2.

H. J. Res. 175. Mr. McClellan.

To authorize the Secretary of War with reasonable expedition to submit to Congress a full report for a comprehensive national program and plan for the control of floods of all major rivers of the United States and their principal tributaries.

Committee on Flood Control January 29.

H. J. Res. 182. Mr. Secret.

To appropriate \$100,000,000 to be allotted by the President to provide for the repair of public roads and streets, including bridges, in the areas devastated by the recent flood of the Ohio River and its tributaries.

To Committee on Appropriations February 1.

GRAZING

S. 1337. Mr. McCarran.

To amend section 3 of the Taylor Act to allow permittees to graze livestock under one year of age free of charge. To add two sections (18 and 19) to the Taylor Act to provide for advisory boards of stockmen within each grazing district. Such boards shall have from six to twelve members, one person being appointed by the Secretary of the Interior and the others elected. The proposed section 19 relates to the powers and compensation of such board members. Their powers are only recommendatory and their compensation shall be five dollars a day plus expenses. The purpose of the bill seems to be to crystallize the present system of advisory boards now operating in Taylor Grazing Districts.

To Committee on Public Lands February 2.

HYDRO-ELECTRIC DEVELOPMENT

H. R. 4269. Mr. Lemke.

To create a Water Conservation and Flood Control Commission for the purpose of conserving and making use of unappropriated waters within the United States and to provide for constructing canals, for transportation, preventing floods, restoring water levels, lessening soil erosion, aiding reforestation of cut-over lands and developing electric power. The Commission is to be composed of the Secretaries of Interior, Agriculture, War, Labor, the Attorney General, the Chairman of the Federal Power Commission, the Chairman of T. V. A., President of Electrical Home and Farm Authority, and the Administrator of Rural Electrification Administration. The Commission shall have power to purchase, lease, or by eminent domain, acquire any land or personal property necessary to carry out the purposes of the Act. The Commission shall have power to construct and operate dams, canals, reservoirs, power plants, and transmission lines, and may make surveys and plans estimating the cost of every factor which may reasonably be expected to enter into such construction together with the advisability of such plans. The necessary surveys shall be made to secure information relative to possibilities of irrigation of both public and private lands, grazing and forestation within the areas to be benefited by construction of any project. A special plan is to be prepared for subdividing public lands into small tracts with an estimate of detailed costs for the proposed erection and construction of buildings and improvements for the purpose of providing homesteads, such plans to be submitted to the President with the Commission's recommendations. Upon approval by the President, such irrigation, forestation or grazing projects, or any highway or hydro-electric plants or homestead units may be constructed. The Commission may sell or lease any or all irrigable lands, water rights, grazing and timber privileges, and returns of such sale or lease to be prescribed by the Commission. Surplus electric current may be sold to States, Municipalities or public or cooperative organizations not organized or doing business for profit. There is authorized to be expended \$500,000,000 each year for carrying out the provisions of this Act. To Committee on Flood Control February 3.

S. 1230. Mr. Bulkley.

To create an Ohio Valley Authority similar to the T. V. A. for the purpose of controlling floods, improving navigation, protecting wildlife, cultivating timber, and conserving natural resources. To Committee on Commerce January 29.

INTERSTATE COMPACTS

H. R. 4096. Mr. Byrne.

To give the consent of Congress to states to enter into compacts for the conservation of wildlife resources. To Committee on Judiciary February 1.

SOIL CONSERVATION

S. 1304. Mr. Gillette.

To create the National Soil Conservation Board within the Department of Agriculture to be composed of 12 members, one from each Federal Land Bank District appointed by the Secretary of Agriculture. The Board is directed to conduct a nation-wide survey of the soil resources of the United States and to classify the land according to its adaptability to the production of various crops. It may prescribe from year to year such standard land use practices as will conserve and improve the fertility of the soil and provide for a proper supply of basic food stuffs and shall designate the amount to be paid as special benefits to individual farmers complying with the recommendations of the Board. The Board shall adopt such rules and regulations as may be necessary to carry out the purposes of the Act, with the approval of the Secretary of Agriculture. The Governor of the Farm Credit Administration shall be administrator of all funds authorized by Congress to be paid as special benefits and he shall be responsible for checking and administering the rules and regulations adopted and the granting of all credits and making of loans to individual farmers. The Governor shall also be responsible for the handling and disposal of any accumulations of basic crops in excess of needs and reserve requirements. Within the Farm Credit Administration the Excess Commodities Corporation is organized to dispose of all basic crops and commodities, to maintain parity income price level for basic crops, and for this purpose to license persons, firms or corporations importing raw materials competing with or serving to displace basic crops. There is authorized to be appropriated through the Farm Credit Administration for the purpose of carrying out this Act \$50,000,000 for the next fiscal year. There is also authorized to be appropriated \$50,000,000 to the National Soil Conservation Board to defray the cost of soil survey and classification. The Excess Commodity Corporation is to have an advance of capital of \$100,000,000.

To Committee on Agriculture and Forestry February 2.

TENANCY

H. R. 4220. Mr. Wood.

To provide homes and farms for the tenant farmers and sharecroppers. Any person who has been a citizen of the United States for ten years and a tenant farmer or sharecropper for more than two years prior to this Act, or who is head of a family, may be beneficiaries under the Act. The President is authorized and directed to set apart any

portion of the public domain, or to acquire by purchase or by the exercise of eminent domain, the necessary lands, such lands to be conveyed to the beneficiaries under an agreement that beneficiaries shall diligently cultivate the land and pursue a gainful occupation, and for the repayment of benefits extended, including the cost of the land, improvements and equipment. Repayments to be made in semi-annual installments at the rate of \$10 for each \$1000 of principal and interest. The tracts of land may not exceed 80 acres and the improvements not to exceed \$4000 in value and the stock and equipment not to exceed \$1000 in value. The President is authorized to use any agencies he may create or select to carry out the purposes of this Act and to assist tenant farmers and sharecroppers to acquire homes and farms. \$300,000,000 is authorized to be appropriated.
To Committee on Agriculture February 2.

II. STATE LEGISLATION

(Includes only outstanding proposals likely to be of interest to Legislatures other than the one in which bill is introduced.)

DRAINAGE

California. S. 19. Mr. Garrison.

To amend the Constitution to provide for the creation of a Water and Power Board to conserve, develop, and control the waters of the State. The Board shall have power to acquire water rights, easements, and other necessary property to construct and operate reservoirs, canals, waterworks, transmission lines, to supply water and electricity to political subdivisions and other users, and to cooperate with governmental agencies of the State and Federal Government.

To Committee on Irrigation January 22.

Colorado. H. B. 5. Mr. Graham

To provide for the organization of Water Users' Associations as non-profit corporations for the purpose of irrigating lands not now irrigated.

Introduced January 8.

Colorado. H. B. 6. Mr. Graham.

To create a Water Conservation Board consisting of the Governor, Attorney General, State Engineer and Director of State Planning Commission and seven members appointed by the Governor. The Board shall have power to negotiate interstate compacts and conserve the water of the State, encourage irrigation districts, water users' associations, cooperate with Federal agencies, investigate plans and activities of other states, and formulate drafts of legislation.

Introduced January 8.

Colorado. S. B. 530. Messrs. Headlee and Litel.

To define rights to underground waters.

Introduced January 20.

Maryland. H. B. 50. Mr. Rieck.

To create a Chesapeake Bay Authority which shall have power to construct a bridge across the Chesapeake Bay.

To Ways and Means Committee January 26.

GOVERNMENT ORGANIZATION

Texas. H. B. 325. Mr. Graves.

To reorganize all departments of the Executive Branch of the Government. The Department of Agriculture is to keep its present organization under a Commissioner but is to be divided into five bureaus and assume the duties and powers transferred from the Live Stock Sanitary Commission, the State Seed and Plant Board, Cotton Board, Pink Bollworm Commission, Compensation Claims Board, and Director and Chemist of Agricultural Experiment Station, which agencies are abolished. A Department of Forests, Fish and Game is created and is invested with the powers and duties of the Game, Fish and Oyster Commission, Forest Service of the A. M. College, and the State Parks Board, which agencies are abolished. The General Land Office is continued as the Department of Lands. A Department of Water Supply and Reclamation is established to perform all functions relating to water.

Introduced January 27.

LAND USE

Massachusetts. H. B. 1318. Mr. Abbott.

To accept the provisions of the Soil Conservation and Domestic Allotment Act. The Department of Agriculture is appointed as the agent of the State to prepare and administer plans in conformity with the Act, and receive and expend any money to carry out such plans.

To Committee on Agriculture January 23.

New Mexico. S. B. 48. Mr. Jones.

To preserve the agricultural lands of the State by the creation of "Wind Erosion Districts". Upon the petition of one-fourth of the resident freeholders in the proposed district to the Board of County Commissioners, who shall define the boundaries of the district, and after hearing submit the organization of such district for a referendum. If such district is organized the three elected supervisors as a governing body shall have power to conduct surveys to determine the character of wind erosion and the preventive and control measures needed, disseminate information on control measures, cooperate with Director of State Agriculture Extension service and County Agent and determine the program and plan for carrying out the operations and methods for the prevention of wind erosion, which plan, when adopted, shall have the force and effect of an ordinance. The Board of Supervisors may make the necessary rules and regulations to carry out the official plan. Land owners in the District may be required to comply with the rules and regulations under the official plan and the Board of Supervisors may petition the District Court of the County in which the lands are situated for the specific enforcement of the measures proscribed for lands whose owner fails to comply with the regulations adopted under the official plan. The Court may dismiss petition or require the owner to perform the work, and if the order of the Court is not carried out within a reasonable time the Board of Supervisors may enter and perform the work or operations in conformity with the official plan and the cost may be recovered, with interest at the rate of 8%, from the owner. The Board of Supervisors shall recommend to the County Commissioners a suitable tax levy to carry out the provisions of the Act. Districts organized under the provisions of this Act shall be bodies corporate and politic

having perpetual succession and may make necessary rules and regulations to carry into effect its purposes and powers and may cooperate with the United States Government and other wind-erosion districts organized under this Act. All State lands within any such district shall be subject to the Act and the State Land Commissioner shall act as the agent of the State and he may expend the necessary funds in meeting the requirements of the official plan pertaining to State lands. State highways within any such district are subject to the provisions of the Act and the State Highway Department is to cooperate similarly to the State Land Commissioner. An appropriation of \$10,000 for the coming year is made to be used under the direction of the Board of Regents of the College of Agriculture for the use of such districts. Provision is made for dissolution of the districts upon petition of a majority of freeholders.

Introduced January 25.

Oklahoma. H. B. 172. Mr. Foley.

To authorize the President of the State Board of Agriculture to purchase machinery to be used in terracing land for the purpose of conserving water and preventing the overflow of levees causing damage to farm lands. The President shall place the machinery in each County Commissioner's district and such County Commissioners are to provide suitable places for the safekeeping of the machines. The County Commissioners are authorized to use the machines for terracing and draining farm lands and the cost of operation shall be borne by the owner upon whose land the work is being done. \$1,155,000 is appropriated for the use of the President of the Board to buy such machinery, but the total cost of machines in each Commissioner's district shall not exceed \$5,000.

Introduced January 20.

Oklahoma. S. B. 93. Mr. Rinehart.

To authorize the Commissioners of the Land Office to negotiate or renew at 2 $\frac{1}{2}$ % loans on farms provided the mortgage taken contains a provision that the borrower agrees to or has already complied with the provisions of the Soil Conservation and Domestic Allotment Act. Supplementary agreements may be made upon outstanding loans to reduce the interest to 2 $\frac{1}{2}$ % when the borrower has or agrees to comply with the provisions of the Soil Conservation Act.

Introduced January 20.

OREGON. H. B. 114. Mr. Magruder.

To appropriate \$20,000 for the next biennium to defray the expenses of soil, irrigation, and drainage investigation, including cooperative soil surveys, ground water surveys, fertility trials, including economic use of irrigation water, to aid in the most profitable development of the soil and water resources of the State. The investigation is to be under the management and control of the State Board of Higher Education.

Introduced January 28.

Tennessee. H. B. 368. Messrs. McDams and Haynes.

To accept the provisions of the Soil Conservation Domestic Allotment Act and to appoint the University of Tennessee as agent to prepare plans in accordance with the provisions of the Act, administer the plans when approved, and receive any grants made pursuant to the Act.

Introduced January 28.



Washington. S. B. 112. The Rules Committee.

To provide for a reorganization of highways of the State and for the acquisition of any rights-of-way and cooperate with the Federal Aid Road Act.

To Committee on Roads and Bridges January 25.

PLANNING

Missouri. H. B. 113. Messrs. Montgomery and Barker.

To enable counties having a population of 200 000 or more, to plan and zone the unincorporated area. The County Court may appoint the Planning Commission, which body formulates the plans for the districts, and the County Court provides the manner in which the regulations shall be established and enforced.

Introduced February 2.

North Carolina. H. B. 164. Mr. Ward.

To continue the State Planning Board under the direction of the Governor. It has advisory and recommendatory powers; may cooperate with other governmental agencies; may employ means of publicity and education; and may prepare and submit drafts of legislation for the carrying out of its plans.

To Committee on Appropriations January 30.

North Dakota. S. B. 128. Mr. Young.

To appropriate \$25,000 to the State Planning Board for the next biennium.

To Appropriations Committee February 1.

PUBLIC LANDS AND FORESTS

California. W. B. 844. Mr. Williamson.

When tax delinquent lands have been sold to the State, no former owner or claimant may remove or destroy any building, fixture, or improvement, or remove any timber which shall impair the value of the land. The Controller shall have power to lease and rent for the State such tax delinquent lands and he may receive and collect all rents and profits accruing to the State. A statement accompanying this Bill indicates the great loss of revenue from occupants of lands deeded to the State for non-payment of taxes and that changes are necessary in the law to facilitate the immediate rental of such lands.

Introduced January 18.

Colorado. H. B. 472. Mr. Holfnagels.

To permit the State Board of Land Commissioners to sell timber from State lands and to promulgate rules governing its cutting. To require the Board to do certain acts to prevent fires.

Introduced January 18.

New Hampshire. H. B. 85. Mr. Stevens.

To authorize the Forest and Recreation Committee to administer forest lands acquired by the Federal Government pursuant to the Fulmer Act (Public Number 395, 74th Congress).

To Committee on Forestry January 26.

New Hampshire. H. B. 87. Mr. Witcher.

To create a forest improvement and recreational fund. All revenue derived from fees for services and sale of any products from State forests or reservations are to be credited to such fund from which are to be bought State forests and to pay for the administration and improvement of any Federal land placed under the jurisdiction of the Forest Commission. To Committee on Forestry January 26.

North Dakota. H. B. 99. Mr. Ritter.

To direct the Bank of North Dakota, acting as agent of the State, to sell State lands acquired through farm mortgage foreclosures.

To Committee on State Affairs January 28.

Oklahoma. S. B. 94. Mr. Broadbush.

To empower the County Commissioners to execute exchanges or conveyances of County owned lands to the Federal Government to aid in its acquisition of such lands required for forestry reserves, game preserves, parks, irrigation or drainage projects, or necessary buildings.

Introduced January 20.

Oklahoma. S. B. 105. Mr. Rorschach.

To make an appropriation of \$500,000 to the Oklahoma Planning and Conservation Board for the purchase of lands and easements for the three reservoirs in the State being constructed by the Federal Government. (See Public Number 738, 74th Congress.) (See Oklahoma S. B. 107, Bulletin 5, page 7.)

Introduced January 22.

REAL PROPERTY

California. H. B. 846. Mr. Lore.

To create public corporations as housing authorities to engage in housing projects. Such corporations may be set up in cities or counties and shall consist of five Commissioners appointed by the Court and shall have power to investigate living conditions with a view toward finding methods of improving such conditions. The corporations shall conduct and operate housing projects for persons of low income and cooperate with county or regional planning agencies in locating such agencies. They shall also act as agents for the Federal Government in connection with the construction and operation of housing projects.

To Social Service and Welfare Committee January 19.

North Dakota. S. R. 115. Mr. Strohlow.

To authorize Cities, Towns and Counties to aid in housing projects of housing authorities (State or Federal) by furnishing parks, playgrounds, streets and other improvements; selling, leasing or dedicating property to the authority of Federal Government; furnishing water, drainage, recreational or educational facilities; planning or zoning the political subdivisions and cooperate in planning the construction or operation of such housing projects.

To Committee on State Affairs January 30.

TAXATION

Oklahoma. H. B. 255.

To reorganize the system of delinquent tax collection to expedite the procedure. Persons desiring to redeem property sold at tax sales must redeem an entire tract, pay all arrearages in taxes as in the notice of sale, plus 10% damages, and interest at 1% per month. All redemptions must be made within two years from the date of tax sale receipt.

Introduced January 28.

Oregon. H. B. 58. Mr. Miller.

To exempt homesteads from taxation on \$3000 valuation.

Introduced January 21.

Texas. H. B. 354. Mr. Patterson.

To amend the tax laws to provide for a more adequate collection of delinquent taxes by the reorganization of the system of collection of delinquent taxes.

To Committee on Revenue and Taxation January 29.

H. A. HOCKLEY

